

UNITED STATES DISTRICT COURT

for the  
District of Arizona

9/27/17  
ATA  
United States of America  
v.  
Juan Carlos Mendoza-Ruelas  
a.k.a.: Juan Carlos Rodriguez-Ruelas  
(A 099 620 785)  
Defendant

Case No. 17-416 MJ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of September 27, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Juan Carlos Mendoza-Ruelas, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near San Ysidro, California, on or about November 3, 2006, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated by Reference Herein

CEB  
REVIEWED BY: Charles E. Bailey, P.S. for AUSA Jennifer F. Levinson

☒ Continued on the attached sheet.

Complainant's signature

Steven T. Case,  
Deportation Officer  
Printed name and title

Sworn to before me and signed in my presence.

Date: September 28, 2017

Judge's signature

City and state: Phoenix, Arizona

Michelle H. Burns,  
United States Magistrate Judge  
Printed name and title

**STATEMENT OF PROBABLE CAUSE**

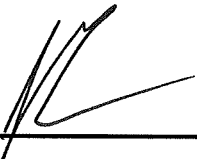
I, Steven T. Case, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On September 27, 2017, Juan Carlos Mendoza-Ruelas was encountered by the Phoenix Fugitive Operations Team (FUG OPS) during a vehicle stop, in Phoenix, Arizona. FUG OPS officers determined Mendoza-Ruelas to be a citizen of Mexico, illegally present in the United States. On September 27, 2017, Mendoza-Ruelas was transported to the Phoenix ICE office for further investigation and processing. Mendoza-Ruelas was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Juan Carlos Mendoza-Ruelas to be a citizen of Mexico and a previously deported criminal alien. Mendoza-Ruelas was removed from the United States to Mexico at or near San Ysidro, California, on or about November 3, 2006, pursuant to the reinstatement of an order of removal issued by an immigration judge. There is no record of Mendoza-Ruelas in any Department of

Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Mendoza-Ruelas' immigration history was matched to him by electronic fingerprint comparison.

4. Criminal history checks revealed that Juan Carlos Mendoza-Ruelas was convicted of Illegal Possession/Use of Controlled Substance, a felony offense, on October 25, 2006, in the 5<sup>th</sup> District Court, St. George, Utah. Mendoza-Ruelas was sentenced to one (1) of year incarceration and thirty-six (36) months' probation. Mendoza-Ruelas' criminal history was matched to him by electronic fingerprint comparison.
5. On September 27, 2017, Juan Carlos Mendoza-Ruelas was advised of his constitutional rights. Mendoza-Ruelas freely and willingly acknowledged his rights and declined to make any further statements.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about September 27, 2017, Juan Carlos Mendoza-Ruelas, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near San Ysidro, California, on or about November 3, 2006, and not having obtained the express consent of the Secretary of the Department of Homeland

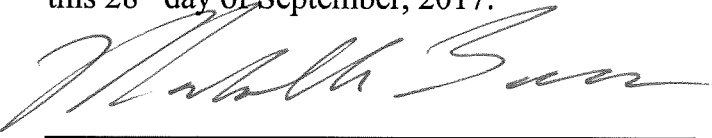
Security to reapply for admission thereto; in violation of Title 8, United States Code,  
Section 1326(a), and enhanced by (b)(1).

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Steven T. Case,  
Deportation Officer,  
Immigration and Customs Enforcement

Sworn to and subscribed before me  
this 28<sup>th</sup> day of September, 2017.

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Michelle H. Burns,  
United States Magistrate Judge